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*JANSSEN BIOTECH, INC.,*  
*JANSSEN ONCOLOGY, INC.,*  
*JANSSEN RESEARCH & DEVELOPMENT, LLC,*  
*and JOHNSON & JOHNSON*

**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**  
**SAN FRANCISCO DIVISION**

UNITED STATES OF AMERICA, STATES  
OF CALIFORNIA, COLORADO,  
CONNECTICUT, DELAWARE, FLORIDA,  
GEORGIA, HAWAII, ILLINOIS, INDIANA,  
IOWA, LOUISIANA, MICHIGAN,  
MINNESOTA, MONTANA, NEVADA, NEW  
JERSEY, NEW MEXICO, NEW YORK,  
NORTH CAROLINA, OKLAHOMA, RHODE  
ISLAND, TENNESSEE, TEXAS, VERMONT,  
AND WASHINGTON; THE  
COMMONWEALTHS OF  
MASSACHUSETTS AND VIRGINIA; and  
THE DISTRICT OF COLUMBIA,

*ex rel.* ZACHARY SILBERSHER,

Plaintiffs,

vs.

JANSSEN BIOTECH, INC., JANSSEN  
ONCOLOGY, INC., JANSSEN RESEARCH &  
DEVELOPMENT, LLC, and JOHNSON &  
JOHNSON,

Defendants.

Case No.: 3:17-cv-07250-JST

**[PROPOSED] ORDER GRANTING  
DEFENDANTS' MOTION TO DISMISS  
AMENDED COMPLAINT**

The Hon. Jon S. Tigar  
Date: May 16, 2019  
Time: 2:00 PM  
Place: Courtroom 9, 19th Floor, Phillip Burton  
Federal Building

**[PROPOSED] ORDER**

Upon review of Defendants Janssen Biotech, Inc., Janssen Oncology, Inc., Janssen Research & Development, LLC, and Johnson & Johnson's Motion to Dismiss pursuant to Federal Rule of Civil Procedure 12(b)(6), and having considered all the papers filed regarding this Motion and authorities cited therein, the Court hereby ORDERS that Defendants' Motion to Dismiss is GRANTED. The Amended Complaint is dismissed, with prejudice.

IT IS SO ORDERED.

DATE: \_\_\_\_\_

\_\_\_\_\_  
Hon. Jon S. Tigar  
United States District Judge